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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 423-59

RESPONSE UNDER RULE 116

C# M#

EXPEDITED HANDLING
PROCEDURES

IBA et al

T.C. / Art Unit: 1648

Serial No. 09/800,520

Examiner: G.G. Leffers, Jr.

Filed: March 8, 2001

Date: July 27, 2004

Title: PROCESS FOR PREPARING RETROVIRUS VECTOR FOR GENE THERAPY



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER 37 CFR §1.116

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment 12 minus highest number
previously paid for 24 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 2 minus highest number
previously paid for 4 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered , filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
GRT:ap

NIXON & VANDERHYE P.C.

By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature: _____



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

IBA et al.

Appln. No. 09/800,520

Filed: March 8, 2001

Confirmation No.: 5027

Atty. Ref.: 423-59

T.C. / Art Unit: 1636

Examiner: G.G. Leffers Jr.

FOR: PROCESS FOR PREPARING RETROVIRUS VECTOR FOR GENE THERAPY

* * *

AMENDMENT UNDER 37 CFR § 1.116

July 27, 2004

Mail Stop AF

U.S. Patent and Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the pending Office Action (Paper No. 200440515) mailed May 19, 2004, entry and consideration of the following amendments and remarks are respectfully requested.

The **claims** are presented on pages 2-4.

Claims 34, 44-46 and 56-57 are amended.

Claims 35-40 and 47-52 are canceled without prejudice or disclaimer.

Remarks begin on page 5.